

## Responding to Challenges— Ensure Your Library is Prepared

Jeanette Larson  
for  
Texas State Library and Archives Commission




---

---

---

---

---

---

---

- The Foundations of Intellectual Freedom
  - Constitution
- The Philosophy of Freedom to Read/View
  - ALA Statements
- Policies and Procedures
- The Real World




---

---

---

---

---

---

---

### What is Intellectual Freedom?

- US Constitution
  - First Amendment



The right to seek, receive, hold, and disseminate information from all points of view **without restriction.**

---

---

---

---

---

---

---

## Core Principle of Democracy

- Intellectual freedom is the basis for our democratic system.
- We expect our people to be self-governors.
- Citizenry must be well-informed.
- Libraries provide the ideas and information, in a variety of formats, to allow people to inform themselves.
- Intellectual freedom encompasses the freedom to hold, receive and disseminate ideas.

---

---

---

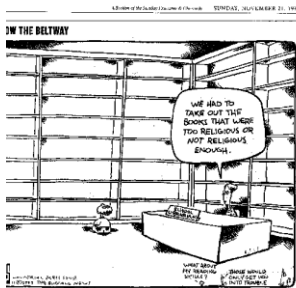
---

---

---

---

---



## Intellectual Freedom

- Core value of libraries
- Multiple viewpoints
- Selection vs. censorship
- We don't have to agree with everything in the collection.

---

---

---

---

---

---

---

---

## Doctrine of Prior Restraint: Narrow categories **not** protected by the First Amendment:



- ✓ Obscenity
- ✓ Child pornography
- ✓ Defamation
- ✓ Speech that incites immediate and imminent lawless action.




---

---

---

---

---

---

---

---

## Library Philosophy and Principles

- Library Bill of Rights
- Interpretations of the Library Bill of Rights
  - Link to documents:  
<http://www.ala.org/advocacy/sites/ala.org/advocacy/files/content/LBORwithinterpretations.pdf>
- Right to Privacy
- Confidentiality of Patron Records
- Code of Ethics
  - Link to document:  
<http://www.ala.org/advocacy/proethics/codeofethics/codeethics>

## Library Bill of Rights

- The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.
- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

## Interpretations of Library Bill of Rights

Added material to support Intellectual Freedom and assist with the application of the Bill of Rights in practice

- Access for children and young adults
- Exhibits and bulletin boards
- Meeting rooms
- Labeling of materials
- Internet filtering
- More



## Terminology

- **Expression of Concern.** An inquiry that has judgmental overtones.
- **Oral Complaint.** An oral challenge to the presence and/or appropriateness of the material in question.
- **Written Complaint.** A formal, written complaint filed with the institution (library, school, etc.), challenging the presence and/or appropriateness of specific material.
- **Public Attack.** A publicly disseminated statement challenging the value of the material, presented to the media and/or others outside the institutional organization in order to gain public support for further action.
- **Censorship.** A change in the access status of material, based on the content of the work and made by a governing authority or its representatives. Such changes include exclusion, restriction, removal, or age/grade level changes.

Source: <http://www.dan.org/Books/ControversialBooks.html>

---

---

---

---

---

---

---

## Censorship

A "change in the access status of material, based on the content of the work and made by a governing authority or its representatives. Such changes include exclusion, restriction, removal, or age/grade level changes."

- May have good intentions
  - Protect younger/weaker from "bad influences"
  - Restore "morality"
  - Stop hateful or offensive speech
  - Belief that the information is wrong

---

---

---

---

---

---

---

## Who are the (potential) Censors?



- Those on the right (conservatives)
- Those on the left (liberals)
- The rest of us

Norma & Mel Gabler fought Texas textbook adoptions for 46 years.

---

---

---

---

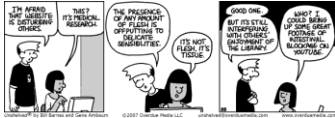
---

---

---

## How Do Librarians Censor?

- Selection vs. censorship
- Not dealing with controversial subjects
- Closed stacks/Desk copies
- Filtering



## Be Prepared for Challenges

- Start with good policies and procedures.
- Training is essential. Staff and volunteers must be prepared.
- Stay calm. Don't panic.
- Be respectful and courteous.
- Remember that you are representing the library (government).
- Educate the public.



## Schools

- Academic freedom is connected to intellectual freedom.
- Library materials support the intellectual goals of the school.
- Follow the selection procedures and collection development policy.
- Provide alternative selections for required readings so that parents may choose for their own child.
- Have all your policies in place and approved by the district.



### ***Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853 (1982)***

- By a 5-4 vote, the Court held that school officials cannot remove books from a school library simply because they find the ideas in the books objectionable.
- Boards of Education have discretion in establishing the curriculum.
- Still must adhere to First Amendment.
- Limited control outside the classroom.
- Matters of opinion (politics, religion, etc.) should not be prescribed by limiting availability to materials.




---

---

---

---

---

---

---

### **Policies**

- Collection Development
  - Selection of Materials
  - Acquisitions
  - Gifts
  - Deselection (Weeding)
  - Requests for Reconsideration
- Other policies
  - Exhibits
  - Meeting Rooms
  - Bulletin Boards
  - Access to services



- Tells staff and public HOW selection decisions are made.
- Tells staff and public HOW the library acquires materials
- Explains how gifts are accepted and when they will be added to the collection. Also disposal of unneeded gifts.
- Describes HOW and WHEN books are deselected (weeded) from the collection.
- Outlines the process that will be followed in the event of a complaint.

---

---

---

---

---

---

---

- Get policies in place now.
- If you have a policy review it now!
- Share the policies with staff, board, county/city/school administration, the public.
- Talk about the first amendment and your library's mission!



- Educate the public
  - Banned Books Week
  - "A truly great library contains something in it to offend everyone." --Jo Godwin.
  - Parents have the right to decide what their child reads/views but ONLY their child.

---

---

---

---

---

---

---

## Banned Books Week

<http://www.bannedbooksweek.org/>

- Last week in September
- Displays
- Discussion
- Public readings
- Brings attention to the issue.
- Also post copies of the Library Bill of Rights




---

---

---

---

---

---

---

## Request for Reconsideration

- Listen
  - Often patron just wants to be heard and acknowledged.
- Follow the process
  - Don't express your opinion about what the outcome should be
- Go back to the Collection Development policy
  - Why was the item added to the collection?
  - What need does it meet?
  - Collect reviews
- Address alternatives (if applicable)
- Respond in writing




---

---

---

---

---

---

---

## GET HELP!

- Talk to colleagues in your area.
  - Just talking it out can help you formulate your response.
- Alert your bosses.
  - They need to hear from you in order to support you.
  - Remind board and governing authorities about policies and process.
- Professional Associations




---

---

---

---

---

---

---





You are not alone!

- Learn from others
- Read case studies.



Jeanette Larson  
[larsonlibrary@yahoo.com](mailto:larsonlibrary@yahoo.com)  
 or  
[jeanettelarson52@outlook.com](mailto:jeanettelarson52@outlook.com)

---

---

---

---

---

---

---

## Hood County Library's Challenged Books and Policies Process

Courtney Kincaid, MLS  
 Assistant Library Director  
 North Richland Hills Library



(Former Library Director of Hood County Library, Granbury)

Email:  
[ckincaid@nrhtx.com](mailto:ckincaid@nrhtx.com)

Twitter:  
[@ckthelibrarian](https://twitter.com/ckthelibrarian)

---

---

---

---

---

---

---

## Agenda

- › Timeline of Events
- › Strategy
- › Open Records Requests
- › Media
- › Policies
- › Social Media
- › How to Handle the Stress Level
- › Professional Career Move



Picture credit: WFAA

---

---

---

---

---

---

---

## Timeline of Events

- ▶ Books and Policies issues – 21 weeks total
  - Began May 15, 2015 – October 13, 2015
    - June 5, 2015 – Library Advisory Board hearing
    - July 14, 2015 – CC hearing regarding books
    - August 25, 2015– Policies brought to court
    - October 13, 2015 – Policies passed



Picture credit: WFAA

## Strategy

- ▶ TLA
- ▶ ALA OIF
- ▶ Library Board
- ▶ Governing Board and Attorney
- ▶ Friends groups
- ▶ Supportive patrons
- ▶ Other librarians – especially in the area
- ▶ American Civil Liberties Union (ACLU)



Picture credit: Texas Observer

## Strategy

- Read books yourself
- Have another staff member read the books
- Let your board read the books
- Governing board – read the books
- How long have books been in the collection?
- Any other requests submitted in the past?
- Publisher reviews
- Do the books fit within your collection development policies?

## Open Records Requests

### Remember:

- All correspondence may be requested
- Stay professional, accurate, and courteous

David Wells,  
Library Advisory Board, Chairperson  
Picture credit: Texas Observer




---

---

---

---

---

---

---

---

## Media

- We chose not to go to the paper – we didn't on a previous challenge.
- News will get ahold of this issue soon – be sure you have everything organized and a statement.
- News sources typically support the freedom to read/view.
- Stick with the facts and facts only!



Hood County Court Hearing 7/14/2015  
Picture credit:  
Comic Book Legal Defense Fund

---

---

---

---

---

---

---

---

## Policies

- Make certain your policies can handle something of this magnitude.
- We didn't have a clear ending – so that was something we had to remedy.
- For those who oppose the decision- what's their next move?
- Stay two steps ahead
- Keep in close contact with your governing and advisory board throughout the process .
- And explain to governing board the role of a PUBLIC library.

---

---

---

---

---

---

---

---

## Social Media

- The library/staff do not need to create social media buzz.
- Supporters created a support the library page.
- Everything can and will be mentioned at court/council – even the people who “Like” the page...Just FYI.
- I did not comment or post anything on this page during this time. I also asked staff not to post.




---

---

---

---

---

---

---

## Stress

- Confide in family, friends, fellow librarians.
- This is a big ordeal and you need someone you can reason with and vent.
- Although it may seem like this will never end – it will.
- Try to do things away from work that will help you de-stress and relax.




---

---

---

---

---

---

---

## My move to NRH Library

- Assistant Director for North Richland Hills Library
- My governing board was the Commissioners' Court – who are elected individuals.




---

---

---

---

---

---

---

## Challenged Materials

Kate P. Horan, MLS  
Library Director

McAllen Public Library  
khoran@mcallen.net

---

---

---

---

---

---

---

---

## Request for Reconsideration




---

---

---

---

---

---

---

---

G. Challenged Materials: The library believes in freedom of information for all, and does not practice censorship. The library declares that while anyone is free to reject books and other materials of which he/she does not approve, he/she may not exercise censorship to restrict the freedom of others. The library also recognizes that the collection of diverse materials may result in some complaints or requests for reconsideration.

Reconsideration forms are available from Public Services staff. When a patron wishes the library to discard or reclassify a book or item of non-book material, he or she fills out the "Request for Reconsideration of Library Materials" form [below]. The form is sent to the office of the Library Director who assigns a committee of librarians to review the item. The committee will evaluate the request form, any available reviews, and the item to determine if it meets the library selection criteria and collection development guidelines. The committee will make a recommendation to the Library Director, who will review the material, related items, and the committee's recommendation, and present to the Library Board for a final decision regarding the disposition of the challenged item.

---

---

---

---

---

---

---

---

## Request for Reconsideration of Library Material

McAllen Public Library

Title \_\_\_\_\_

Author: \_\_\_\_\_

Publisher: \_\_\_\_\_

Format: \_\_\_\_\_ Book \_\_\_\_\_ Video \_\_\_\_\_ Audio \_\_\_\_\_ Magazine

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

Do you represent: \_\_\_\_\_ Yourself

(name) \_\_\_\_\_

\_\_\_\_\_

1. Did you read/view/hear the entire work? If no, what parts?

2. To what in the work do you object? Please be specific.

3. What do you feel might be the result of reading, viewing, or hearing this work?

4. For what age group would you recommend this work?

5. What is good about the work?

6. What reviews have you read or heard on the work?

7. What do you believe is the theme of the work?

8. In its place, what work would you recommend that would

convey as valuable a picture and perspective on

the subject treated?

9. Other comments:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Committee's  
Recommendation:  
Item remains in the collection

"Director Sam Peckinpah made *The Wild Bunch* to show the Wild West as realistically as possible. Instead of perpetuating romantic notions of good versus evil, he was "dedicated to telling truths and still preserving the legend of the American West." (*Time* magazine, 1969). As a result, all groups in the story are shown in a harsh light: Mexicans, Anglos, women, churchgoers, crooks, including even the children—who torture scorpions for entertainment."

Included awards and honors (American Film Institute named it one of the Top 100 Films of All Time).

"...if this film were to be withdrawn because of its negative portrayal of one group, in order to be consistent and fair, the library would also have to remove many other films and books which include characters of various ethnic or racial groups."

"Rather than 'deansex' the library of potentially offensive material, our role is to provide a broad variety of items which allow individuals to decide for themselves what they wish to view or read."

That time MPL  
was tagged on  
Facebook...

I AM JAZZ



BIG MOMMA MAKES THE  
WORLD



---

---

---

---

---

---

---

THANK YOU!  
[www.mcallenlibrary.net](http://www.mcallenlibrary.net)  
[khoran@mcallen.net](mailto:khoran@mcallen.net)



---

---

---

---

---

---

---